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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**JOHN CJ DOE BY AND THROUGH HIS  
GUARDIAN AD LITEM HONG CHEW,**

Plaintiff,

v.

**CITY AND COUNTY OF SAN  
FRANCISCO, DAMON A. BURRIS, DOES  
1-100, AND MOES 1-100 INCLUSIVE,**

Defendants.

Case No. 24-cv-02872-KAW

**STIPULATION AND ORDER RE REMAND**

1 WHEREAS, Plaintiff has filed a First Amended Complaint that removed the cause of action  
2 alleging a violation of 28 U.S.C. § 1983 (the “1983” claim) , and does not include any cause of action  
3 under federal law or the United States Constitution. Plaintiff’s withdrawal of the cause of action shall  
4 be treated as a dismissal with prejudice of the 1983 claim.

5 WHEREAS, counsel for Plaintiff and counsel for Defendant CITY AND COUNTY OF SAN  
6 FRANCISCO have met and conferred regarding this matter and Plaintiff’s counsel has agreed to  
7 stipulate that Plaintiff has waived, forfeited, relinquished, and shall not assert and will not be asserting  
8 any cause of action, claim, relief or theory of recovery under federal law or statute, including but not  
9 limited to a 1983 claim, or the United States Constitution against anyone, including but not limited to  
10 Defendants City and County of San Francisco, Damon Burris and any of the unnamed DOE or MOE  
11 defendants..

12 WHEREAS, counsel for Plaintiff and counsel for Defendant CITY AND COUNTY OF SAN  
13 FRANCISCO have agreed that without any cause of action, claim, or theory under federal law or  
14 statute or the United States Constitution in this case, the case should be heard in California State  
15 Court; specifically, County of San Francisco Superior Court.

16 NOW, THEREFORE, Plaintiff and Defendant CITY AND COUNTY OF SAN FRANCISCO,  
17 by and through their respective counsel, each hereby stipulates to remand this action to County of San  
18 Francisco Superior Court.

19 //

20 Dated: June 3, 2024

**GOETHALS LEGAL PC**

21  
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23 By: 

24 Joseph M. Goethals  
25 Charles P. Stone  
26 Attorneys for Plaintiff  
27 JOHN CJ DOE  
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1  
2 Dated June \_3\_, 2024

**CITY AND COUNTY OF SAN FRANCISCO  
COUNSEL'S OFFICE**

3  
4 By: /s/ Zuzana Ikels  
5 David Chiu  
6 Jennifer E. Choi  
7 Zuzana S. Ikels  
8 Attorneys for Defendant  
9 CITY AND COUNTY OF SAN FRANCISCO

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**ORDER**

Having reviewed, considered, relied and adopted Plaintiff JOHN CJ DOE and Defendant CITY AND COUNTY OF SAN FRANCISCO'S Stipulation re Remand, the Court finds GOOD CAUSE that Plaintiff has dismissed and waived, with prejudice, any federal claims or constitutional violations, does hereby order that the action be remanded to County of San Francisco Superior Court.

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**SO ORDERED.**

Date: June 14, 2024

  
Hon. Kandis A. Westmore  
Magistrate, Northern District